

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

TERRY KUAN GONG,)	1:11cv02044 AWI DLB
)	
)	ORDER REGARDING PLAINTIFF'S
)	MOTION FOR COUNSEL
Plaintiff,)	
)	
vs.)	(Document 3)
)	
LEON PENATTA, et al.,)	
)	
Defendants.)	

On December 12, 2011, Plaintiff Terry Kuan Gong, appearing pro se, filed this employment discrimination action under Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act and the Age Discrimination in Employment Act.

Also on December 12, 2011, Plaintiff filed a letter in which he requested that the Court refer him to an attorney or assign a Court-appointed attorney. He states that he thinks he can afford an attorney, but "just can't find one."

Title VII authorizes a district court to appoint counsel "in such circumstances as the court may deem just." 42 U.S.C. § 2000e-5(f)(1). The court must evaluate: (1) whether the plaintiff demonstrates an inability to pay for private counsel; (2) plaintiff's efforts to secure counsel; and (3) whether the claims presented have merit. See Bradshaw v. Zoological Soc'y of San Diego, 662 F.2d

1 1301, 1318 (9th Cir.1981).

2 As Plaintiff states that he thinks he can afford counsel, the Court DENYS his request to
3 appoint counsel without prejudice.

4 IT IS SO ORDERED.

5 **Dated: January 5, 2012**

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE

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